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Attorneys for Defendant

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

DR. FADI CHAABAN; DR. SABINO R.  
TORRE; DR. CONSTANTINOS A. COSTEAS  
and DR. ANTHONY J. CASELLA, as Trustees  
of Diagnostic & Clinical Cardiology, P.A. Profit  
Sharing Plan,

Plaintiffs,

v.

DR. MARIO A. CRISCITO,

Defendant.

Civil Action

Case No. 2:08-cv-1567  
(GEB/MCA)

**NOTICE OF APPEAL**

**NOTICE IS HEREBY GIVEN** that Dr. Mario A. Criscito, the defendant in the above-named case, hereby appeals to the United States Court of Appeals for the Third Circuit from a Final Judgment entered in this action on the 31<sup>st</sup> day of March, 2011 and filed on the 1<sup>st</sup> day of April, 2011, as well as from all prior interlocutory orders entered in the District Court.

Respectfully submitted,

Kern Augustine  
Conroy & Schoppmann, P.C.  
1120 Route 22 East  
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Attorneys for Plaintiffs

By: /s/ Robert J. Conroy  
Robert J. Conroy (RC-8060)  
A Member of the Firm

Dated: Bridgewater, New Jersey  
April 25, 2011